IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO.1682 OF 2005.

IN

FIRST APPEAL NO.292 OF 1995.

Cynthia Apartment
Condoniminium : Applicant.

versus

The Municipal Corporation of
Gr.Bombay. : Respondent.

Smt.Joan Joshi for the applicant.
Mr.J.J.Xavier for the BMC/respondent.

CORAM : D.G.DESHPANDE,J.

DATED : 09th September 2005.

ORAL ORDER

1. This is an application for restoration of appeal which was dismissed on 17.1.2005. Counsel for the BMC has objected this application on the ground that there is no explanation for absence

of the advocate on the date of dismissal and also thereafter. However, looking to the facts, this application is allowed subject to payment of costs of Rs.1000/- to be paid within two weeks from today. Payment of costs is a condition precedent. This appeal is already admitted. Appeal to come up for hearing after payment of costs of Rs.1000/- to the advocate for the respondent.

[D.G.DESHPANDE,J]